

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOSHAWN JAY KEMP,

Defendant.

Case No. 2:99-cr-219-LDG

ORDER REGARDING MOTION FOR SENTENCE REDUCTION

PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon the joint stipulation for discretionary relief under 18 U.S.C. § 3582(c)(2), to be construed as Defendant's Motion for Discretionary Relief under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

1 THE COURT **ORDERS** that the motion is GRANTED and the defendant's previously
2 imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 165 months as to
3 Count 1 **is reduced to TIME SERVED** as to Count 1.

4 THE COURT FURTHER **ORDERS** that, except as otherwise provided above, all
5 provisions of the judgement dated November 3, 2000, shall remain in effect.

6 THE COURT FURTHER **ORDERS** that, as jointly requested by the parties, the
7 defendant be released ten (10) days from the date of entry of this re-sentencing order to
8 allow the Bureau of Prisons to complete release planning, conduct the violent sexual
9 predator assessment mandated by law, and obtain any DNA samples, as required by law.

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11 DATED this 1 day of ^{Dec} November, 2011.

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14 Lloyd D. George
15 United States District Judge
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